IMPROVING THE WORKING ENVIRONMENT IN KEY SECTORS OF THE COSTAL AND THE KARST REGION (IDO PRIMORSKEM).

PROJECT OVERVIEW.

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ABSTRACT

IDO Primorske is a research project that deals with workplace stress, absenteeism, fluctuation, burn-out and work – life balancing. It's focus is on conducting an extensive survey with workers of larger companies in the Coastal region. A legal analysis of regulation in Slovenia and in a comparative context supplements the survey. The purpose of the research is to provide policy-makers with in-depth understanding and specific recommendations for improving the existing legal regulation as well as to assist human resources managers in improving their company's HR strategies and to give their employees specific knowledge and tools to tackle everyday work-related problems.

Keywords: workplace law, workplace health, absenteeism, fluctuation, work-life balancing
INTRODUCTION

Izboljševanje delovnega okolja na Primorskem (IDO) is a research project conducted at the Primorska Institute for Natural Sciences and Technology, in the period between April 2010 and December 2012 and is funded by the European Social Fund and the Slovenian Ministry of Labour, Family and Social Affairs.

IDO pursues two broader objectives: on the one hand to provide policy-makers with in-depth understanding, new ideas and specific recommendations for improving the existing legal regulation in the fields of working environment and workplace health and safety and on the other hand, to transfer the acquired knowledge and findings into practice in order to assist human resources (HR) managers in improving their company's HR strategies and to give their employees specific knowledge and tools to tackle everyday work-related problems and to help them advance their careers.

Ultimately, the projects fundamental goal is to contribute to the existing knowledge in our fields of interest and to an all-around healthier, pleasant and more creative working environment.

Research activities are focused on five areas or phenomena that are of the utmost importance for the quality of the work processes and determine the quality of working conditions. They are: workplace stress, absenteeism, fluctuation, burnout and work–life balance.

The basic assumption of our work is that employees as well as employers should be more flexible to the demands of the labor market and at the same time become empowered to tackle work-related problems by themselves more efficiently. That is why acquisition of new knowledge and skills for employees is of primary concern. For this reason, research activities are aimed at increasing flexibility and competitiveness of enterprises as well as employees, encouraging regional and sectorial mobility and promoting new employment. Entrepreneurship, self-employment, projects for introducing flexible forms of employment and innovative and productive forms of work organization, including healthier and safer working conditions, are therefore encouraged.
Current state of research

About half way into the research, we have conducted an analysis of the Slovenia legal regulatory system in the five areas of research which has been complemented by a comparative analysis of the EU and Council of Europe legal regulations in these areas. Also, we prepared an overview of most important psychological findings which will serve as a platform for further investigations. We've recently conducted a field survey on a sample of 515 individuals who answered a variety of questions concerning the five mentioned phenomena. Analysis of acquired data is still in its initial phase, so only a fraction of the results will be presented here in their crude form, since we have not yet been able to analyse them more thoroughly. The present article represents the first summary of the research accomplishments thus far. In the next year, the studied phenomena will be analysed in greater depth and detail.

METHODOLOGY

Theoretical analysis

In all five fields of research we've conducted a theoretical analysis of the available literature, with the emphasis on most recent texts and findings, looking at the most controversial and pressing issues from a psychological and legal viewpoints. The psychological analysis reviewed in detail the most important general theories in each of the five areas. As for the legal analysis, we analysed the Slovenian legal system with regards to questions of interest. We compared the theoretical and normative situation of the same issues from the viewpoint of EU law and Council of Europe law as well as selected solutions in some EU countries. The final aim of this analysis is to identify problematic areas of the Slovenian legal system with regards to the mentioned questions and to recommend general and specific measures to improve the situation.

Field Survey

The central part of our research is the field survey which aims at obtaining information on the worker's understanding of specific work-related phenomena that have already been mentioned. For this purpose we've constructed a questionnaire with which we've been able to measure hypothesized aspects of questions regarding employment, general worker impression of the company, workers understanding of their legal protection at work, workplace
stress and absenteeism, as well as undesired fluctuation, workplace burnout and finally work–life balance.

In the first set of questions we ask about the respondents socio-demographic data (sex, age, education, marital status, number of children, work station). The second set gives us answers about the respondents general perception of the organization (company) and her's assessment of employee satisfaction, company performance, employees health, interpersonal relations and respect. The third set contains questions of legal nature regarding employee legal rights, conditions of promotion, mobbing, social security for unemployment etc. Fourth and seventh set gives the respondents the chance to assess their work environment and health condition and to evaluate the level of stress and burnout they are experiencing. The sixth and eight set contain questions on undesired fluctuation and work–life balancing conditions in their respective companies.

Sample
The field survey was conducted between June and July 2011. 515 respondents participated in the survey both by filling out the survey online and in several companies based in the Litoral via a program operating on the iPod platform. Of the 515 respondents, 49% were male and 51% female. The majority of the respondents were between 25 and 48 years old, with almost 25% of them being between 31-36 years old. Almost half (47%) are married, 29.7% live in an extra-marital communion and about 20% are either single, widowed or separated. On average the respondents have one or two children (27.2% and 38%, respectively) while 21% have no children. 39.6% have a high school education, 26.8% a higher education while 32% have either a university degree or higher (22.3% and 9.7%, respectively).

SELECTED ISSUES
Although we've devised our research into five seemingly separate fields of work, the most important demand of today's scientific work is that of interconnectivity and interdisciplinarity. The dynamics and interconnectivity of today's world does not enable any real advances if problems are considered in isolation. It is therefore imperative that we consider these questions as thoroughly intertwined and interdependent. In the following pages we will present some findings from our analysis. We will conclude with an overview of scheduled activities in the second part of the project.
Workplace stress

Stress is an inherent feature of the work process and work environment. Studies show that Slovenian workers report far more exposure to stress than the European average – 38% in comparison to the 22% average (Milczarek 2009, 9). Also, two thirds of Slovenian workers perceive stress as a detrimental factor for their health with the European average being 35% (4th working conditions survey 2007, 61).

Several questions in our study were posed in order to understand the respondents’ psychological state. To the statement »I'm facing mood swings, problems making decisions, deconcentration and memory problems«, an equal share (31.7%) responded that they either rarely or on occasion face such problems, while 16.7% answered that they frequently face such problems. Several questions asked for an assessment of the respondents’ attitude to a specific issue now as compared to six months before. While more than two thirds answered that their physical and mental health is about the same as it was, more than a quarter nevertheless reported deterioration of their health. Most importantly, 31.3% of the respondents answered that their capacity to effectively deal with stress has worsened in the last six months.

These answers are important in the light of the understanding that stress (by one of the definitions) »results from an imbalance between demands and resources« and it occurs when pressure exceeds one's perceived ability to cope (Lazarus, Folkman 1984). With that, stress is inherently a manageable phenomenon, dependant on one's assessment of the stressful event and her's ability to cope with it. This is why it is important to refer to specific events, situations etc. as potential stressors and not as stressors per se.

Stress moderators are factors that alleviate stress, among them personal strength, social support and various behavioral patterns. Social support can be obtained by individuals in our vicinity in the form of instrumental (financial, material, services) or informational support (advice, feedback information), reaffirming of reputation, emotional support etc. The respondents in our survey were asked to evaluate, among other, the changes in their relationship with their co-workers. 68% of the respondents reported either no changes or an improvement in their relations with their co-workers in the last 6 months. 31% of the respondents have shown an interest in maintaining a healthy lifestyle and high quality of life.

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Exposure to workplace stress not only has detrimental consequences for the individual (and his family), it also affects the working organization, even the entire (national) economy. Often increased absenteeism will be detected as a result of diminished motivation and inefficiency, which bears negative economical effects on the company, which consequently faces increased fluctuation, more sick leaves etc. With every fourth European being exposed to stress at work, 50-60% of all lost working days can be attributed to stress and related factors. EU members are said to loose 4% of GDP every year on account of work-related stress, in 2007 for example Slovenia lost about 1.25 billion euro. In 2002 EU-15 states lost approximately 20 billion EUR (Milczarek 2009).

Managing workplace stress

Workplace stress management is an issue that must equally concern the individual as well as the employer, especially with the increasing effects of workplace stress to chronic, cardiovascular and psycho-social illness. Early symptom recognition and prevention is of the utmost importance. On the one hand Lindermann (1977, as cited in Selič 2010) states that health and well-being can only be achieved by individual effort. Efficient time management, determination, healthy life-style and individualized techniques of relaxation can greatly contribute to making stress manageable and tolerable (Porttelio, Long 2001). On the other hand employers need to accept their responsibility in providing healthy and stress-free environment. Several organizational activities can be undertaken in order to reduce stress (Teržan 2002): i) working time should be organized so that conflict between work demands and other obligations is avoided; ii) employees should be integrated into decision-making processes; iii) labour standards should be set in the way that fits the capabilities of the employees; iv) work assignments should be as specified as possible; v) the working environment should be open and welcoming.

It is important to understand that stress can be useful as well. We therefore favor such proposals as that of Le Fevre, Matheny and Colt (2003), who recommend that efforts should be directed into optimizing, rather than minimizing workplace stress. A reasonable measure of pressure, concern or anxiety may lead to better outcomes than if these components would not be present in the working environment at all. It is the individual worker who determines if he will perceive potential stressors as negative or positive stress. Company management must assist workers by creating an environment that has the potential to be perceived that of positive stress. A preliminary assessment procedure determining which workplace
circumstances employees perceive as potentially stressful must be made by the employer. Optimal workload as a golden mean between the over- and under- burdening leads to high motivation, calmness and focus on work which in consequence leads to optimal efficiency of employees and of the organization. Such an environment encourages employees to spill all their skills and abilities into their work and enables them to feel valuable and included.

_Workplace stress and law in Slovenia_
Slovenian constitution offers the basic framework for legal regulation of issues relating to workplace stress. Personal dignity (Article 34) and healthy living conditions (Article 72) are considered basic human rights, protected by the constitution. In decision Up-183/97 from 10 July 1997 Slovenian constitutional court stated: »The possibility of professional and personal development, including achieving and developing status, position or reputation in the working and living environment, together with the undisputed importance of existential security, are inseparable elements which determine the dignity and personality of any individual.« With a developmental interpretation of the constitution in favour of a broader protection of individual human rights, the constitution offers a sound and comprehensive framework for legal protection. Statutory regulation and above all judicial decision-making must complement it and fulfill its fundamental task of protecting individual human rights. It seems that Slovenian judiciary is currently lagging behind this. The State must be aware that individuals have a judicially enforceable rights and the State on the other hand the obligation to protect and develop individual’s workplace health and safety (See Teršek 2009).

Criminal and liability law protection in relation to certain stress-related issues is established by statutory regulation, for example for mobbing and discrimination (See Kovačič Mlinar 2011; Mežnar 2010). This places Slovenia among countries with modern legal regulation, following trends and standards of broad legal protection of individuals in the working environment. In this light criminal law protection against the severest forms of exploitation and expressions of superiority, of interfering with the integrity and dignity of individuals is of even greater significance.

The new The Health and Safety at Work Act (ZVZD-1) which was adopted in May 2011 and is set to enter into force end of November, coordinates our legal regulation with the demand of the EU law (namely Directive 89/391). Though this is required, the Act demonstrates a classical problem of Slovenian legislature, namely a lack of critical _ex ante_ evaluation and assessment of current circumstances. Euro-level findings (Leka, Cox 2008) highlight the
importance of conducting preliminary analysis of current state of affairs and sensible adaptation of legal solution to possible particularities of the national system. This exposes an anomaly ever too present in the slovenian system of primarily adopting statutes and only then national strategies in those fields, a procedure that should in fact be reversed. Such handling often leads to ineffectiveness of adopted statutory measures, that operate in a sort of »legal vacuum« (Teršek 2009). Greater efficiency of proposed legal measures should also be sought in increased social dialogue and public consensus building which add a certain degree of legitimacy of the adopted measures. In can be concluded that the new ZVZD-1 establishes an adequate basis for a successful coping with contemporary workplace risk factors. Practical implementation of abstract legal provisions will be of the utmost importance. That is why formal legal activity can only go thus far. Informal activities for proper introduction of adopted measures and for equipping those responsible for successful implementatin of these measures in practice are thus crucial.

**Burnout**

Burnout is a state of extreme physical, mental and emotional exhaustion (Pšeničny 2006). It is a psychological syndrome, that manifests itself as depersonalization, diminished efficiency and emotional exhaustion. It is a consequence of chronic interpersonal factors related to work and occurs when dedication to an idea, life style or a relationship does not produce the desired results. According to Maslach and Leiter (2002), work-related burnout is an indicator of the discrepancy between who people are and what they must do. The authors see burnout as the erosion of values, dignity, spirit and will – as an erosion of the human soul: »It is a malady that spreads gradually and continuously over time, putting people into a downward spiral from which it's hard to recover.« (Maslach, Leiter 2002, 16). It is frequently equated with chronic stress and unfulfilled expectations. In fact it is a much more complex phenomenon.

Based on the analysis of several definitions and conceptions of burnout Maslach and Schaufeli (1993) highlighted five key elements of burnout: i) prevailing of disphoric symptoms such as mental and emotional exhaustion and tiredness; ii) greater emphasis on mental and behavioural symptoms then on physical; iii) burnout symptoms are work-related; iv) symptoms manifest in »normal« persons, who previously did not suffer from psychopathology; v) decreased efficiency and job performance. Our initial survey results show that 21% of respondents often feel tired, while 8% constantly feel tired. Also more then 25% of respondents assessed that their mental health has deteriorated in the last six months.
Though 65% answered that their mental health is still the same, 8% feel constant tiredness. Deminished efficiency and lower job performance are present with 3% of respondents and often present in 13%.

Signs of workplace burnout tend to manifest much earlier then in domestic burnout since lack of energy negatively affects our work performance. Those who are satisfied with their work and are appropriately remunerated will burnout later then does who are not rewarded properly and are underappreciated, victimized and humiliated (Fuller et al. 2003). Our survey data shows than only 24% our the respondents are frequently or always commended for a job well done.

Risk factors
The last few decades brought about the transformation from an industrial to post-industrial society (Pšeničny 2007) which brought along the crisis of values. Typical Slovenian values such as modesty and diligence have been substituted by such as success, status recognition and effectivity. Need for knowledge and workforce competence is constantly changing. There are no more safe work posts or professions. Once work offered a sense of security and identification but today this part of our lives is filled with uncertainty.

According to Maslach and Leiter (2002) burnout is cause by the following factors: i) work overload; ii) lack of control; iii) insufficient remuneration; iv) dislocation of communities; v) dishonesty and vi) conflicting values. From the organizational viewpoint, work load is equated with productivity. Strategies for increasing productivity aim at making fewer people doing more work. Rest time is almost gone with one activity spilling into another. Weekly working hours are increasing and people are often called to perform multiple tasks at once.

Lack of control over work enables individuals to make their own work priorities, choose their own approach and decide on best way to use the accessible resources. If they are unable to make appropriate decisions, a lot of time can be spent on tasks that do not contribute to their performance. However, control over work is often difficult to provide, as most jobs involve team work where everyone wishes to have control over their work, a feature that is difficult to achieve. In order for businesses to remain competitive, they often lower wages of their employees. Outsourcing plays an important factor in determining wage policy. Basic social and medical security contributions are often not being paid by employers. Changes in the
nature of work have contributed to there being less intrinsic rewards in form of satisfaction for performing work that is a joy for her and her colleagues who respect her. Genuine communal ties are being severed since people deviate from deeper attachment to individuals who will not remain in the organization for a longer period. In addition, short-term employments restrict the ability to develop an unabrupted work flow and formation of integrated working groups which leads to lower productivity and peer conflicts. The workplace is fair and just when accompanied by trust, honesty and respect. Employees do not have the confidence that management decisions are always in their best interest, though our survey results show that 50% of management staff believe they often pay attention to the problems of their subordinates and offer their help, while 35% believe they are always attentive to their problems. On the other hand it seems that employees do not trust that they can approach their superiors with their problems: only 14% report they can talk to their managers about their problems and 10% always talk to them. Competitive pressure makes it impossible to predict the future. If individuals are valued solely by their end results, they do not feel respected. Value system based on short-term (financial or bottom-line) goals of the company is not in accordance with values of dedicated workers. Employees whose work involves frequent contact with customers are the recipients of their complaints all the while they have to defend the policy of the company they in reality do not endorse.

**Absenteeism**

Martocchio and Jimeno (2003) give the broadest definition of workplace absenteeism and as such they perceive any lack of physical presence at the workplace when there is social expectation for it. Such definition allows for studies of absenteeism that is the result of a broad spectrum of factors such as disease, bad habits, lack of motivation, personal values and habits, company's organizational culture etc.

Absenteeism affects the individual herself as well as her’s employer and other employees. An often absent individual must accept lower salary (being dependant on the system of remuneration), diminished promotion possibilities and problems re-integrating into the working environment (Harrison, Martocchio 1998). Simultaneously her absence influences her co-workers who must replace her and are thus exposed to more pressure than usual. This results in a less efficient group as a whole. Furthermore, absenteeism is both a cause and an effect of a series of socio-cultural and psychological phenomena that adversely affect the functioning of the individual, her surroundings, the enterprise and society as a whole. Among
them are for example feelings of incompetence, inferiority complex, stress and its consequences, the inability to communicate effectively in a team, misunderstandings and so on (Maslach, Schaufeli and Leiter 2001).

Causes of absenteeism can be health-related or non health-related. Factors affecting occurrence of sick leave can be related to the company, society, organization of health services and the employee herself. It is above all dependant on three factors: i) working conditions; ii) employees needs and iii) physician’s decision. As to the first factor, our survey showed that 12% of respondents have improved their relations with their co-workers in the last six months, while 67% report no change in that regard and 21% of decay of their relationships. Regarding their health status, 7% have seen an improvement of their general health status while 26% report worsening of their health. Interestingly, 50% claim that health, good interpersonal relations and employee satisfaction are important elements in the working of the company.

Some legal considerations on absenteeism

Health is one of the most, if not the most, cherished values of humankind and a precondition for exercising any and all human rights (Marušič, Temnik 2009). It is therefore necessary that it is also legally protected. Because of distinctly different cultures, lifestyles and economic capabilities of states all over the world and even in Europe, it is impossible to establish a precise content of universally protected right to health. Most international human rights documents establish only minimal standards or basic conditions for it's exercise. Providing concrete measures for implementation of the right is therefore left to state and local authorities, whereas the extent and quality of services depends primarily on cultural-historical, political, regulatory, financial and other resources of these authorities.

Notwithstanding these and other limitations for the exercise of the right to health or different ideological and political views on its content, some facts regarding right to health are fundamental and universally valid: the right to health establishes a (negative) obligation to respect an individual's health and calls on authorities to refrain from interfering; a positive obligation to the authorities to ensure conditions for effective protection of everyone’s health; and a duty of the authorities to provide the right to health and to provide the necessary funding for its implementation (Hervey, Kenner 2003). In addition to the state’s obligations, individuals themselves have an equal responsibility for taking care of their health as well. The modern understanding of human rights, particularly social rights, which include the right to
health, is transitioning from classical understanding of the social state, where the individual is a passive role recipient of state assistance to an increasing emphasis on individual responsibility for social risks. (Giddens 2000; Kopač 2005; Teršek 2009a). Today, »policy of health« is being promoted by state as well as medical authorities. In this policy framework, education of individuals and the society as a whole is being conducted with the aim of enabling the individual to take control over her health and maintain a healthy living. Bilban (2007) states the importance of systemic encouragement for a healthy life-style which can only be achieved if promotional activities are conducted by governmental, medical, social and economic sectors, NGO's, local communities and public media. While health promotion was once aimed at reducing unhealthy life styles e.g. smoking and alcoholism, it is today aimed at promoting a lifestyle that enables individuals to become and remain healthy. However it still seems that health is not widely regarded as a substantive and enforceable right but more a set of programmatic principles and goals to be pursued. But such position has become obsolete: introduction of a more authentic and more social state is a necessity for a positive changing of the system or even for a creation of a new and better one. More and not less effort should therefore be required from the state (Teršek 2009a).

Right to health at work

Work as one of fundamental human activities significantly affects an individual's health and with it his productivity, creativity and general well-being. Because of specific risks stemming from the workplace, special social insurances were created in order to protect individuals when, for reason (un)related to work, permanent or temporary work incapability occurs and with it loss of income. The right for safe and healthy working conditions as well as wage compensation for work absence, are recognized with all major international and national legal documents.

Slovenian law recognizes health as a fundamental human right, and establishes State obligations to ensure effective enforcement of the rights deriving therefrom. It seems that Slovenia because of its constitutional definition as a social state, belongs to the circle of countries that work in achieving social and health interests of individuals, based on the assumption that the function of the state is not only the protection of political, economic and property interests, but also of social interests. (Polajnar Pavčnik, Wedam Lukič 1998) Though constitutional foundations provide for strong health related rights, it is the legislator who substantializes them. Notwithstanding different political and economic circumstances, the
legislator must at all times pursue, to the best of his abilities, the objective of effective access to health services for individuals and replacement of income in cases of illness and/or injury.

In conclusion, we wish to emphasize several pressing question regarding this issue.

First, an unexplained discrepancy exist between the amount of compensation due to illness and due to injury that have occurred outside of work, the first being 90% and the second 80% of the compensation basis. As Strban correctly notes, there is an understandable and historically justifiable difference in the amount of compensation for injuries and illnesses related to work and those incurred outside of work. Less understandable is the differentiation between diseases and injuries incurred outside of work since both cause loss of income. The task of monetary compensation is to replace that loss, which is the same in both cases. Thus it is not clear why the sick employees are more deserving and receive higher compensation than the injured. Both may partially contribute to the development of the health case, and therefore greater responsibility for injuries outside work is not the most suitable (Strban 2010).

The second pressing issue is that of introducing the so-called waiting days for wage compensation for the first (or two) day of absence from work for care of a family member, which is being proposed within the health care system reform. This would no longer be a right under compulsory health insurance, but would rather be up to the employers to either take over this burden or enable the employees to make use of their regular leave. Such an action would in our opinion be highly inappropriate as it removes a very important right of those who care for their family members, younger children or dependent adults. An already burdened group of people would in this way be further financially affected. In addition, it does not seem realistic to expect that employers will be willing to take on additional financial burdens (Strban 2010). In our survey, we asked if the level of wage compensation is a factor in going to work despite being ill. 41% answered that this is never a factor, while each of the other answers (rarely, on occasion, frequently and always) received around 10-12%. Interestingly, if the first day of sick leave would not be compensated i.e. there would be a waiting day in effect, almost 45.5% answered that they would nonetheless never come to work ill.
Finally, the forthcoming health reform seems to have adopted the concept of active citizenship and personal responsibility in several propositions. More then elsewhere this is visible in the proposition that the level of wage compensation for injuries incurred in the course of doing »extreme sports« would be lower to 40% of the basis. Though in theory, this idea is in line with notions that social right are no longer to be understood as self-evident and accessible to all solely on the basis of their citizenship. This proposal seems highly controversial and even perhaps unconstitutional. Eventhough the legislator seems to be pursuing a legitimate and objectively justified reasons, the proposed action cannot be seen as proportional and in line with the demand that new legislation should be introduced gradually. We believe that such a radical and sudden reduction in the amount of compensation, without appropriate reasonable and objective justification may amount to an unconstitutional interference with the health rights of individuals, since is interferes with their legitimate expectations.

CONCLUSION

In conclusion, we want to emphasize that our foremost wish is to share the acquired knowledge and experience with all who may benefit from our findings. Our research is not self-sufficient – it is dependent on, and intended for the corporate practice. This is why we will disseminate our final report to all human resource managers in the region and nationally. We will do our best to spread awareness of the importance of an active management of workplace stress factors by organizing conferences, holding meetings with specific company managements and issuing publications with concise and practical information (e.g. booklets for workers with recommendations and useful tips about successful stress management). We will also set up an internet portal offering important information on how to successfully manage work-related stress. Lastly, we will organize a conference for the interested public (companies in the fields of tourism, logistics, unions, health care, Ministry for Labour etc.) where we will discuss our findings with experts as well as policy-makers.

In order to achieve the above set goals, we will focus on giving the governing bodies (the Ministry for Labour, the National Assembly etc.) well-informed and practical recommendations regarding workplace legislation. With our working partners we will educate HR managers about the possibilities they have to improve workers perception of working conditions. In this regard, we believe that external i.e. legal coercion can only have a limited beneficial impact on the working environment. Changes must emanate from an altered
understanding of the importance of interpersonal relationships, stimulating and friendly working environment and mutual respect. These features cannot be coerced by law but must come from the management’s awareness that their employees are their greatest asset. They must do whatever is reasonably possible to accommodate the work environment to the worker's needs and wishes. This must include an effort from all interested parties (the state, employers and employees). An improvement that is characterized by a mutual understanding and satisfaction between the employer and the employees is highly important, even decisive for successful work organization and management.

Still, we should not disregard the importance of proper legal foundations (rules, guidelines and mechanisms for the prevention, control and retaliation) enabling the development and sufficient exercise of policy for achieving the above listed goals on a systemic level.

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